

## **REMARKS/ARGUMENTS**

The Applicant originally submitted Claims 1-29 in the application. The Examiner has indicated that Claims 1-10 and 21-29 are allowed. The Applicant believes that the other pending claims are also allowable. In response, the Applicant has amended Claims 11, 16 and 21. No claims have been canceled or added. Accordingly, Claims 1-29 are currently pending in the application.

### **I. Formal Matters and Objections**

The Examiner has objected to Claims 11, 16 and 21 due to antecedent problems and to the Abstract for excessive length and format. In response, the Applicant has amended the Abstract and Claims 11, 16 and 21. The Applicant did not, however, replace “said” with “the” in Claim 21 as suggested by the Examiner. “Said” provides the proper antecedent basis for “transmitter stage” and is used throughout the claims instead of using “the.” Thus, the use of “said” is consistent with the other pending claims and clearly defines the subject matter of the claim. Accordingly, the Applicant respectfully request the Examiner to withdraw the objections of the Abstract and Claims 11, 16 and 21 in view of the amendment and above arguments.

### **II. Rejection of Claims 11 and 16 under 35 U.S.C. §112**

The Examiner has rejected Claims 11 and 16 under 35 U.S.C. §112. The Examiner has not indicated under which paragraph of §112 the rejection is based. Regardless, the Applicant respectfully disagrees with the §112 rejection and directs the Examiner to Figure 6 of the specification. In the illustrated embodiment of Figure 6 and the corresponding discussion in the specification, a receive time error measurement system (610), a jitter processing circuit (620) and

a clock generator system (630) are disclosed. Each system and circuit is sufficiently described to enable one skilled in the art to make and use the invention and provides a best mode to carry out the invention. Additionally, independent Claims 11 and 16 particularly point out and distinctly claim the subject matter of the invention. This is also evident from the embodiment of Figure 6. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §112 rejection and allow issuance of independent Claims 11 and 16.

### **III. Rejection of Claims 12-15 and 17-20 under 35 U.S.C. §103**

The Examiner has rejected Claims 12-15 and 17-20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. RE 34,206 to Sayer. The Applicant respectfully disagrees.

Sayer has been cited to teach or suggest the subject matter of Claims 12-15 and 17-20. Sayer is directed to timing recovery in subscriber loop interface circuits. (*See* column 1, lines 11-15.) Sayer has not been cited against independent Claims 11 and 16 which Claims 12-15 and 17-20 depend on, respectively. Additionally, the Applicant does not find where Sayer teaches or suggests a jitter control processor with a receiving stage that generates a receive time error signal, develops a dejittered control signal and creates a feedback signal as recited in independent Claims 11 and 16. Accordingly, Sayer does not teach or suggest each element of Claims 12-15 and 17-20 which depend on Claims 11 and 16, respectively.

Thus, Sayer fails to provide a *prima facie* case of obviousness of Claims 12-15 and 17-20. Claims 12-15 and 17-20, therefore, are not unpatentable in view of Sayer. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection and allow issuance of Claims 12-15 and 17-20.

#### **IV. Comment on Cited References**

The Applicant reserves further review of references cited but not relied upon if relied upon in the future.

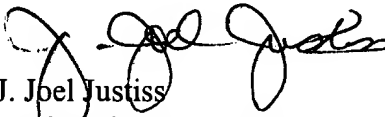
#### **V. Conclusion**

In view of the foregoing amendment and remarks, the Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-29.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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